

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF ELECTRICIANS**

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

WEDNESDAY, July 17, 2013

9:30am

In attendance:

Frank Benell, Jr.

Keith Burlingame

Michael Daley (exits 10:43am)

Stanley Davies

William Lepore, Jr., Chair

Robert Zuba

Glenn Dusablon, Chief Electrical Investigator, was not in attendance.

Also in attendance were Robert Gaj, Chief Licensing Examiner; Angelyne Cooper, Legal Counsel; Ron D'Ambruoso, Administrator; and Joseph Degnan, Assistant Director.

1.) Call to Order: William Lepore called the meeting to order at 9:34am.

2.) Minutes of the April 17, 2013 Meeting: Stanley Davies made a motion to accept the minutes to the previous meeting as written; seconded by Frank Benell, Jr. and passed unanimously by the Board.

3.) Conflict of Interest: Angelyne Cooper, Legal Counsel, addressed the board reminding board members that they are subject to the conflicts of interest laws and if any member has a conflict it should be disclosed and they should recuse themselves.

4.) Vincent Cozzo – Appeal to past suspension of license:

Ron D’Ambruoso, Administrator, presents the matter to the Board as some board members may not have been present or on the Board February 17, 2010 when the matter was before the Board. According to the Decision on Appeal of 2010 for Vincent Cozzo (Viol # 3864), Mr. Cozzo was to pay fines totaling \$4,300.00 for two violations and his electrical license was suspended for six (6) months. The Decision on appeal also states “that Mr. Cozzo be required to appear before the board before his license may be reinstated”. It has been over six (6) months. Mr. D’Ambruoso asks the board to review the matter and requests a decision if Mr. Cozzo can have his license reinstated after the fines have been paid. Mr. Cozzo is before the board as required in the decision.

The Board questions Mr. Cozzo.

Mr. D'Ambruoso informs the board that the \$4,300.00 has not yet been paid.

Keith Burlingame made a motion that we do not consider reinstatement until such time that all penalties are paid in full. There is discussion. For clarification, Michael Daley asks if Mr. Cozzo pays the \$4,300.00 the license will be reinstated or will the board "consider it" after he pays the fine. Discussion continues. Mr. Burlingame clarified his motion that any reinstatement is contingent upon all penalties being paid in full; that he doesn't see any other reason not to reinstate absent any subsequent violations. Stan Davies seconds the motion.

There is discussion. Robert Zuba asks if that would indicate that at the time of payment Mr. Cozzo's license is reinstated without coming before the board. This was confirmed by Chair, William Lepore and Keith Burlingame.

The motion passed unanimously.

The recommendation will be forwarded to the Director.

End of hearings.

5.) Review of RIGL 5-6 for consideration of legislative changes:

Passed

6.) 15 Hour Continuing Education – Assistant Director, Joe Degnan, to address the Board regarding continuing education of license holder Herb Joslin: Assistant Director, Joe Degnan, addressed the Board. It has come to the Department's attention that a report filed with the Department for continuing education may have been done inaccurately. Mr. Degnan brings the matter to the Board inquiring if any instance of that has come before the Board in the past and, if so, how the matter has been handled. If not, a process should be developed to address the matter should inaccuracies occur. There is discussion and it was noted that the law still states continuing education is with the Building Commissioner's Office. The need for legislative change is expressed.

Discussion of inaccuracies continued. Keith Burlingame addressed the Board regarding a similar matter of possible falsified documents regarding three individuals was brought before the Board at a previous meeting. Mr. Burlingame has not seen any follow up and inquired about the outcome from that previous meeting. Today's discussion refers to the same incident. Mr. Degnan will check on what happened after that previous meeting. Mr. Degnan expressed the importance and need to have an established process should this happen going forward and in this instance.

As continuing education has been absorbed from another department, Mr. Degnan would like the Legal Unit to look into the matter and define whether it is within the our jurisdiction so the Department can move forward in a definitive manner.

Keith Burlingame noted that at a previous meeting there was a recommendation, under legislative review, of correcting the law to move continuing education from the Building Commissioners Office to where it belongs. Mr. Degnan will send a memo to the Legal Department to research what the status is right now and what needs to be done to clarify it.

Robert Zuba provided Joe Degnan a packet regarding 15 Hours from a neighboring state to review to help in the process of how it's operated. Mr. Zuba recommends a sub-committee be formed to enact procedures and regulations.

Ron D'Ambruoso recommends a meeting with Matt Weldon and Legal to discuss legislation and what needs to be done.

Bill Lepore requests a copy of the Building Code section of the law for the next meeting.

Keith Burlingame recalled that there may have been a Memorandum of Understanding (MOU) between the two departments. Joe Degnan will look into the MOU.

6A.) Robert Gaj addressed the Board to consider issuing an advisory opinion on electrical testing firms and corporations and their licensing requirements in the State of Rhode Island.

Keith Burlingame made a motion to amend the agenda to address the issue of an advisory opinion requested by Mr. Gaj. The motion was seconded by Frank Benell and Michael Daley and passed unanimously by the Board.

Robert Gaj addressed the Board. A request for a written advisory opinion from the Board has been made by State Electrical Inspector, Robert Raimbeault, of the State Electrical Inspectors Office. After an accident in the Quonset Point area that is being investigated, an electrical testing firm has been called to do all the testing on that site.

Mr. Raimbeault is asking if a RI Electrical Contractor / Journey license is required for that testing. The Board questions Mr. Gaj.

The Board has discussion and refers to RIGL 5-6-2. Stan Davies made a motion that the Board addresses the situation legally. Bob Gaj addressed the Board that this is an emergency situation. Mr. Burlingame inquires of Legal Counsel if there is a provision in the open meetings law to addressing an emergency situation.

Keith Burlingame made a motion to recess to allow counsel to investigate; seconded by Robert Zuba and passed unanimously by

the Board. Stan Davies withdraws his motion.

The Board takes a short recess at approximately 10:11am. The meeting returns to session at 10:24am.

Angelyne E Cooper, Legal Counsel, addressed the Board, pursuant to RIGL 42-46-6, the notice provision of RI Open Meetings Act, Legal Counsel is of the opinion that it would be proper for the Board to vote on the matter in regard to the advisory opinion.

Keith Burlingame made a motion that the Board address the issue as requested by Mr. Gaj; seconded by Stan Davies and passed unanimously by the Board.

Discussion continues.

Michael Daley made a motion based on our knowledge of testing will require disconnecting and reconnecting of conductors, based on that it is the opinion that a license is required. Stan Davies seconds the motion. Frank Benell, Michael Daley, Stan Davies and Robert Zuba were in favor. Keith Burlingame is in opposition. Motion passed.

**** Keith Burlingame addressed the Board regarding Robert Zuba's request from the previous meeting regarding a request to the State Fire Marshall regarding wireless smoke alarms and licensure. Mr.**

Burlingame advised the board that there is nothing in the fire regulations relating to licensure. Mr. Burlingame addressed the Board that the section of the RI Fire Code requiring licensure has been deleted as of January of this year because of the national standard and any license requirement would have to come from this Board.

Stan Davies made a motion to send a letter requesting a decision from the Fire Marshall.

Discussion continues.

The board references the need to tighten up RIGL 5-6-2. Joe Degnan, Assistant Director, addressed the Board, that they should address their concerns in writing to himself and Matt Weldon, Legislative Liaison, describing its importance. Keith Burlingame volunteered. Mr. Burlingame also requested a discussion with Mr. Weldon and the Board. Discussion continued.

Michael Daley exits the meeting at 10:43am.

Joe Degnan will try to arrange a meeting with Matt Weldon.

7.) Adjournment: A motion to adjourn was made by Stanley Davies and seconded by Keith Burlingame. There being no objection, the

meeting adjourned at 10:46am.